Fall 2002

ENVIRONMENTAL NEWS

Engineering Field Activity Northeast,
Atlantic Division, Naval Facilities Engineering Command

Speicher and Rhoads Are Earth Day Honorees

This past April at EFA NE's annual Earth Day celebration, Jason Speicher was announced as the recipient of the 2002 Richard L. Gillespie Award for Environmental Excellence.

The award, named for EFA NE's former Environmental Department Director, is presented each year on Earth Day. It recognizes an individual in the Environmental Department who has made a significant contribution toward preserving and improving the environment and who demonstrates personal integrity, professional excellence, courage, and dedication.

Jason, a risk assessor in the Restoration Technical Branch, has worked in the Environmental Department since July 1998. During the past year, he has been the lead risk assessor at nine Navy installations in the EFA NE area of responsibility. Jason consistently exhibits professional excellence and provides outstanding technical support.

Flanked by former EFA NE CO, CAPT Joe Zorica (right) and former Environmental Department head Dick Gillespie (left) are Al Rhoads (center left) and Jason Speicher displaying their respective awards.

Jason's accomplishments extend beyond the daily technical support of a risk assessor. He is heavily involved in several workgroups with NAVFAC, DOD and EPA that are on the cutting edge of the environmental industry. This past year he served as the NAVFAC sediment subgroup leader that is developing guidance manuals for Navy-wide applications. In addition, Jason's input has been incorporated in NAVFAC, DON and even DOD policy. Jason is a truly deserving recipient of this recognition as Gillespie award selectee for 2002.

At the same ceremony Al Rhoads was recognized with a Lifetime Achievement Award for 30 years of superior,

(Continued on page 8)

HOMEGROWN SECURITY

EFA Northeast's Pesticide-Free Tomatoes

EFA NE takes its organic farming seriously, hiring Sgt. David Long, via GSA contract, to protect the bounty of tomatoes growing in the employee's entrance planter.

Actually, "Defender Dave", as he is affectionately known, is a post 9-11 security guard who helps keep us safe at EFA NE HQ. Dave, who planted the tomatoes on his own time, is a native of South Philadelphia (Yo!). His ancestors include a Grandfather who was a Native American Blackfoot Indian. There are three reasons not to mess with EFA NE's tomatoes: They are located under a security camera. Dave is packing serious heat. Also he generously shares the bounty with one and all.

From the Department Head's Desk

By Conrad Mayer, P.E.
Head, Environmental Department

At a PGA Golf Tournament, Saturday is frequently referred to as "Moving Day", as players strive to position themselves for a run at the trophy on Sunday. We've recently had a "moving day" of sorts ourselves, as RDML Loose has moved in as Commander of LANTDIV, CAPT Raines has assumed command of EFA NE and, much closer to home, Jim Miller has moved into our Environmental Liason position at Commander Navy Region Northeast (CNRNE) at SUBASE New London, CT.

In a VTC with senior leadership, Admiral Loose spoke of the need to align ourselves with the fleet. Captain Raines repeated this message in his initial meeting with the ESG, especially in regard to Commander, Northeast Region. Jim Miller visited with us recently, and this same theme was the focal point of our discussions.

Jim Miller, EFA NE's forward-deployed CNRNE environmental liaison.

Close alignment between NAVFAC and our fleet clients is the stated goal, and one of our top priorities. I believe these "moves" have positioned us to make a strong run at achieving that goal and bringing home the trophy.

Jeffery J. Davis

November 10, 1950 – September 3, 2002

This issue of *Environmental News* is dedicated to the memory of Jeff Davis, an entomologist in our Environmental Department's Biological Sciences Branch and beloved member of the EFA NE family. Jeff passed away on September 3rd after a long illness. He will be sorely missed.

ENVIRONMENTAL NEWS
Engineering Field Activity Northeast,
Atlantic Division, Naval Facilities Engineering Command

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The EFA Northeast Environmental Department does not endorse companies or products mentioned. Our primary target audience consists of Navy people at activities in our area of responsibility (the northeastern states) who are involved in environmental programs. The views and opinions expressed in this publication are not necessarily those of the Department of the Navy. We invite your contributions, comments and questions. To hold down costs, *Environmental News* is printed in black and white. Visit our website if you prefer to view or print a full-color version.

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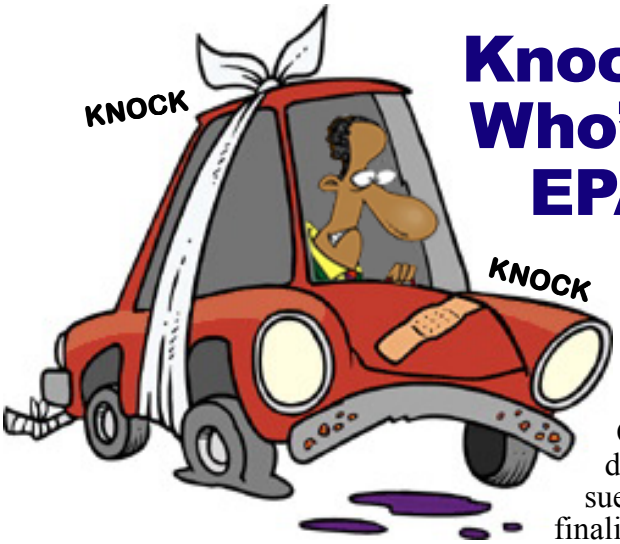

Knock-Knock! Who's There? EPA TSCA

By Thom Snyder
Industrial Hygienist

Yes, it was back in the early 1970's when EPA pushed the ban on lead in gasoline. The lead was in gas for it's anti-knock properties (to lubricate softer metal parts in vehicle engine heads and valves). Well, the new knock-knock isn't a joke. It's a wake-up call about addressing lead-based paint (LBP) issues before renovating (maintaining and repairing) housing and Child Development Centers.

EPA Region I held a Federal Facilities Seminar at the VA Medical Center in Bedford, MA on January 10, 2002 to clarify Federal requirements under the Title X regulations. Joining EFA NE's Thom Snyder, there were Carla Sanders, NAS Brunswick; Cornelia Mueller, NS Newport; ROICC staff Newport; and Rich Massad, Subase New London. Representatives from EPA, Housing and Urban Development (HUD), and the Massachusetts Department of Health gave presentations on current rules and regulations. Basically, Title X (Residential Childhood Lead-based Paint Hazard Reduction Act of 1992) required EPA, HUD, and the Occupational Safety and Health Administration (OSHA) to issue regulations. OSHA's Construction Industry Standards were issued in May 1993. HUD finalized the regulations for "disposing" of federally-owned residential property, which directly affects military housing property disposals. EPA has been implementing regulations covering disclosure of LBP information (when buying, selling or leasing residential property); training, licensing, and procedures for all professions; dangerous levels of lead (paint, dust and soil); and, of course, the pre-renovation rule.

So, what's happening now? EPA wanted to make it clear that the LBP Pre-Renovation Education (PRE) Rule applies to Federal facilities housing. The rule affects contractors, property managers, and others who perform renovation, repair, remodeling, and maintenance that disturbs painted surfaces in housing constructed before 1978. Excluded from the rule are housing units constructed after 1978, military barracks, and emergency renovations. There are two other logical exemptions from the rule: change of occupancy work and whole-house revitalization projects, in unoccupied quarters. The PRE rule requires that a lead information pamphlet must be mailed or given to occupants before renovations start. This is the same pamphlet they received when assigned to military housing. The occupant is required to sign a confirmation form and records must be maintained for three years.

Knock-Knock... Do we have to comply with this rule? The short answer is, "Yes". The official, legal (and very long) answer is stated in Title X, Toxic Substances Control Act (TSCA) Title IV Lead Exposure Reduction, Section 408, Control of LBP Hazards at Federal Facilities, which states:

"Each department, agency, and instrumentality of executive, legislative, and judicial branches of the Federal Government (1) having jurisdiction over any property or facility, or (2) engaged in any activity resulting, or which may result, in a LBP hazard, and each officer, agent, or employee thereof, shall be subject to, and comply with, all Federal, State, interstate, and local requirements, both substantive and procedural, (including any requirement for

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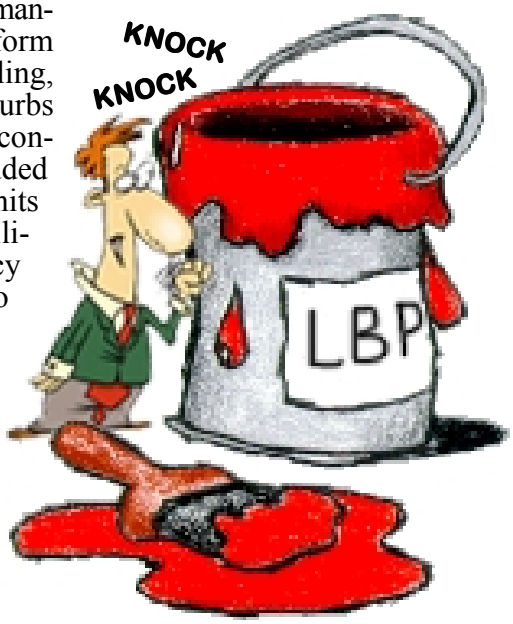
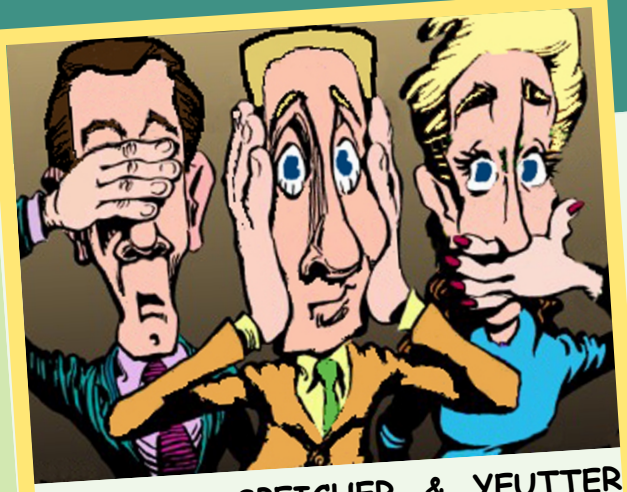




RISK CORNER

Who Likes Things That Are Slippery, Slimy and Wet?

Risk Assessment Self Directed Work Team

Dave Barclift Jason Speicher and Lisa Yeutter

The EFA NE risk assessors love slippery, slimy, wet things, especially amphibians. For this month's *Risk Corner*, we decided that a perfect transition from the mucky sediments we highlighted in the last issue of Environmental News would be a discussion of some critters that are closely associated with sediments. So here goes the joint effort that EFA NE is leading to develop techniques for appropriately evaluating the toxicity of chemicals to amphibians.

By way of review (for the engineers), amphibians are a group of vertebrates including frogs, toads, and salamanders. We could have gotten more technical by mentioning caecilians, which are a group of burrowing or aquatic, snake-shaped amphibians that occur in the tropics. But at this point we probably would lose all the engineers, so let's get back on track. The word "amphibian" means double life, i.e., many species spend part of their life in aquatic environments and part of their life in terrestrial environments. Because their skin lacks a shell, scales or outer "sealing" covering, most amphibians live in wet or damp situations to prevent dehydration.

According to the Fish and Wildlife Service, there are currently 18 amphibian species classified as federally threatened or endangered, with an additional eight species waiting to be listed. Global decline of amphibian populations has been attributed to a number of anthropogenic activities, including habitat destruction, habitat alteration, the introduction of exotic species, and environmental contamination.

Amphibians play a key ecological role in wetland communities, serving as a major consumer of prey items and an important food source for predators, including, fish, snakes and birds. Recent research has shown that amphibians, as a result of their unique life history and physiology, tend to be sensitive indicators of environmental stress from contaminant exposure. Amphibian life-history requirements potentially expose this group to contaminants in surface water, sediments, and soils at various intensities. Compounding the effects of contaminant exposure, wetland habitats generally serve as a sink for many chemical compounds.

(Continued on next page)

RISK CORNER *(Continued from last page)*

The majority of existing sediment quality benchmarks have been developed based primarily on the potential or observed effects associated with contaminant exposure to fish or benthic organisms. With a lack of amphibian toxicity data, sensitive species, such as the fathead minnow and/or daphnids, can be used inappropriately to make key ecological risk-based management decisions at Navy sites within wetland environments. This means the Navy may run the risk of costly wetland remediation when no remediation is truly required. Conversely, at some sites the opposite result may occur: there is a potential to conclude that no unacceptable risks exist at a site based on the use of aquatic endpoints, when amphibians may be at risk.

Wetland habitats sometimes comprise the majority of open space in the vicinity of CERCLA sites at Naval facilities and provide prime habitat for various amphibians. The Navy's Pollution Abatement Ashore program funded an EFA NE proposal to develop a standardized risk assessment protocol for evaluating potential risks to amphibians. This protocol can be used to help the Navy avoid costly and unnecessary wetland alterations based on use of inappropriate ecological endpoints.

The project will include following phases of work under the *Development of a Standardized Approach for Assessing potential Risks to Amphibian Exposed to Sediment and Hydric Soils*:

- literature review and development of amphibian screening values (completed);
- development of laboratory testing techniques for amphibians exposed to sediment (currently underway);
- validation of the laboratory testing techniques;
- development of a guidance manual for assessing potential risks to amphibians at navy facilities; and
- presentation of the program at a national or international scientific meeting.

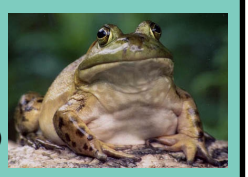
The following constituents of potential concern for consideration were selected for the literature review because they are commonly identified at CERCLA, RCRA, and other sites being investigated by the Navy under the Installation Restoration and other environmental programs: cadmium, chromium, copper, lead, mercury, nickel, zinc, polychlorinated biphenyls, 4,4 DDT, polycyclic aromatic hydrocarbons, ordinance and explosives. The amphibian project will wrap up in about 6 months at which time documents will be available on the Engineering Service Center website http://www.nfesc.navy.mil.

[Editor's note: For more information on the amphibian project, or general biological or risk assessment information, please contact any of our under-appreciated, but technically untouchable risk assessors: Dave Barclift, Jason Speicher or Lisa Yeutter. On June 2, Lisa Yeutter graduated from the Professional Development Center Program and joined EV22 as a Human Health and Ecological Risk Assessor. Lisa graduated from Penn State in 1999 with a bachelor's degree in geo-environmental engineering.]

Amphibians as Bio-Indicators

Did you know a bio-indicator is...

a living (*Bio means life.*) creature that is indicating or telling you something about the area in which it lives. For example, having lots of frogs in an area tells scientists that the environment is healthy and complete for the frogs. If for some reason frogs are suddenly missing from an area or their population is declining, this tells us that their environment is changing. Sometimes bio-indicators can be used to show us that the quality of the air we breathe or water we drink may not be of a high quality.



Did you know frogs are good bio-indicators because they...

spend part of their life cycle on land and the rest in water,
have a permeable skin (which allows substances to move relatively freely into their bodies)
and, absorb and concentrate toxins in their fatty tissues.

The V-Team is an innovative partnership of five environmental consultants under contract with EFA Northeast - Dewberry and Davis LLC; Michael Baker, Jr., Inc.; Malcolm Pirnie; Parsons, Woodard and Curran - who provide full service environmental support to Navy activities. The V-Team combines existing resources to enhance each firm's capability for producing quality results on time.

Article by Julie Walker
Parsons

The V-TEAM is a virtual team made up of five of our environmental IDQ AE firms, and several members from EFA NE's Environmental Department.

Part of our mission as a team of contractors is to offer our teammates' services to an Activity that we are currently working for or visiting when a need arises that is outside of our respective contract media. Parsons has seen this mission come to fruition on more than one occasion.

Dewberry & Davis' environmental/industrial hygiene contract was reaching its limit at a moment when Naval Submarine Base New London (SUBASE) had a crucial demolition project underway. Rather than the client waiting for a contracting option to be created, it was suggested that we utilize the available capacity of Parsons air contract. Parsons' contract scope includes air monitoring; therefore, the scope of work fit nicely within the contract guidelines. Thanks to the V-TEAM, a qualified asbestos monitoring subcontractor was retained.

As part of the V-TEAM's approach, contractors have scheduled brief V-TEAM presentations at a few Activities where they are currently conducting work to introduce the other contractors and their services and, in the process, uncover the current and future needs. During a V-Team visit at SUBASE, Parsons discovered the Activities needs to both utilize some expiring funds and update their HVAC Inventory. Again, thanks to the V-Team, a delivery order was negotiated with Parsons and the Activitie's needs were satisfied.

The Dukes of Earle

By David Krause
Environmental Planner

Earlier this year, your *noble* EFA NE Environmental Planning Team, Code EV33 (Bob Ostermueller, Tina Deininger, Nancy Kuntzleman, David Krause, Jeanette Palma and Katrina Grosso) took its act on the road to the Naval Weapons Station Earle, Colts Neck, NJ. At the invitation of Mr. Dennis Swalwell, the Station's Hazardous Waste Program Manager, Bob Ostermueller and David Krause gave a series of "Environmental Planning Overview" briefings. The topics were the National Environmental Policy Act (NEPA), the Clean Air Act General Conformity Rule (CAA), the Coastal Zone Management Act (CZM), and Historic Preservation (HP) issues. Each briefing ran about an hour and a half with a question and answer period at the end. Over twenty (20) Station personnel from several different departments and tenant commands attended.

The Environmental Planning Team put together the low - tech overviews to better familiarize the Navy's (non - environmental) shore facilities acquisition staffs with critical environmental laws and regulations that will impact the performance of their duties. If your Command is interested in having our Environmental Planning Team present any or all of these Environmental Overview briefings at your Command please contact David Krause at (610) 595 - 0757 to discuss the details.

Mark your calendars...here is the tentative FY 03 schedule for EPCRA training courses from CECOS:

Jan 16-18, 2003 Jacksonville, FL
Jan 28-30, 2003 Philadelphia, PA
Feb 11-13, 2003 San Diego, CA
Feb 25-27, 2003 Norfolk, VA

EFA NE Awards Earle Maintenance Dredging Project

By Bob Ostermueller
Head Environmental Planning Branch

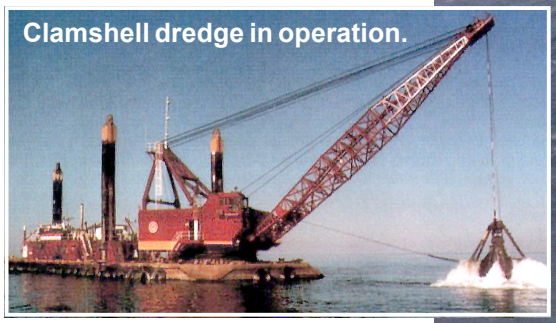
EFA NE recently opened construction bids on a controversial maintenance dredging project for Naval Weapons Station (NWS) Earle located in Monmouth County, NJ. NWS Earle, one of three East Coast ammunition depots serving the US Atlantic Fleet, operates three deepwater piers extending almost two miles into Sandy Hook Bay and is a major supplier of ordnance supporting the ongoing Afghanistan operations.

Regular maintenance dredging is conducted to restore the required operating depths at the three piers. The current project requires that approximately 260,000 cubic yards (cy) of sediment be removed. The Environmental Planning Branch of EFA NE managed the sediment testing and permitting for the project. One of the planned dredge areas, known as "Reach A", tested in accordance with US Army Corps of Engineers (COE) and US EPA requirements, revealed PCB bioaccumulation in worm tissue at a concentration of 123 parts per billion (ppb). The interim EPA standard for PCBs is 113 ppb. However, a statistical analysis of the test data by EPA staff indicated that the dredge sediments containing PCBs could be dredged and disposed of at the in-water disposal site located off the NJ coast.

Never-the-less, some NJ lawmakers as well as the NJ Department of Environmental Protection, opposed the planned use of the in-water disposal site when bioaccumulation exceeds 113 ppb. In order to complete the most mission-critical dredging immediately, the Navy agreed to defer dredging "Reach A", thus deleting about 55,000 cy of dredging from the project. The initial dredging phase should be completed this fall. The EFA NE and NWS Earle environmental staffs are discussing ways with federal and state regulatory agencies to safely commence dredging "Reach A" at a later time.

[Editor's Note] EFA NE's COE permit agent, Nancy Kuntzleman, performed yeoman duty moving this time-sensitive, hi-viz project along. Her boss, Environmental Planning Branch Head Bob Ostermueller, wrote the dredging scope/government estimate, negotiated the work plan with the COE and EPA, negotiated the final contract with the A&E, and wrote the coastal zone management documents.]

Extending nearly two miles into Sandy Hook Bay (NWS) Earle, NJ Pier Complex is a major supplier of ordnance supporting the US Atlantic Fleet.



Clamshell dredge in operation.

Fourth DoD Facility Joins Performance Track Program

By Dorothy Peterson
NAES Environmental Department

NAVAIR Lakehurst was one of 32 new members recently inducted into the EPA Environmental Performance Track Program. EPA Administrator Christine Todd Whitman and Region II Deputy Administrator Bill Musznyski welcomed new members at the 2002 National Environmental Performance Track Members Event in Washington D.C. on April 24, 2002. Dorothy Peterson, NAES Environmental Department, represented the Station at this event. NAVAIR Lakehurst is the fourth DoD facility nationwide to join Performance Track.

Launched just 22 months ago, Performance Track now has 280 members who are recognized for their achievements, as well as for a commitment to top environmental management and to continuously improving their environmental performance. "Through Performance Track, EPA recognizes and rewards businesses and public facilities that demonstrate strong environmental performance beyond current requirements," Whitman said. "While building a collaborative relationship with EPA, Performance Track participants realize environmental results beyond what could be achieved through regulation and enforcement alone. Their efforts will be of significant help as we look towards our ultimate goal: cleaner air, purer water and better protected land." The National Environmental Performance Track was designed by the EPA to recognize and encourage top environmental performers — those companies and communities that voluntarily go beyond compliance with regulatory requirements to attain levels of environmental performance that benefit the environment, people and communities."

EPA Administrator Christine Todd Whitman (center) and Bill Musznyski, Region II Deputy Administrator, present plaque to NAES's Dorothy Peterson welcoming NAVAIR Lakehurst into the Performance Track Program.
Photo by JOC David W. Crenshaw, USNR

Earth Day Honorees

(Continued from front page)

Al Rhoads relaxing in the shadow of old glory celebrates his retirement from a long and distinguished federal career.

Division, Naval Facilities Engineering Command, our clients, and the environmental community. This recognition expressed our appreciation to a colleague for his outstanding career contributions in the naval environmental arena.

To gain this unique distinction, Al was credited with numerous successes and accomplishments in the environmental program extending back into the early 70's. In helping develop the Environmental Branch, he realized a need and paved the way for scientific disciplines outside of NAVFAC's traditional design and construction core of expertise and was instrumental in recruiting chemists, geologists and environmental scientists, as well as mechanical and chemical engineers. Our successful environmental program using such specialized experience became a template for other EFDs. Al was at the forefront of implementing environmental regulations when everyday brought new challenges and set new precedents.

Al's concern for the environment and commitment to excellent customer support remained constant throughout his long career. Al retired from federal service in June of this year.

MY SEDIMENTS EXACTLY

A Plea For Environmentally Responsible Mountain Biking

By Jeff Aceto
Senior Project Engineer, Harding ESE

The subject of dirt is near and dear to my heart. As a civil engineer and avid off-road biker, it's an area of professional expertise and also a personal obsession. I pursue new bike trails with passion and live to find new areas to ride. Sadly, this room to ride is becoming a scarcer commodity because many landowners prohibit riding due to an issue almost unmentionable in biking society. Every rider knows it, but few dare speak it. So shoot the messenger if you must, but mountain biking is having a negative impact on the landscape due to excessive soil erosion.

This observation isn't popular in a sport where success is largely judged by the amount of mud plastered to the underside of one's seat. The National Off-Road Bicycling Association (NORBA) Rules of the Trail include that "I will observe the practice of minimum impact bicycling." It appears many riders define this as to wait for a soaking rainstorm and then go mud churnin', dirt flyin', shrub rippin' one's way down the trail. Somehow mud turns otherwise environmentally-concerned people into sediment-crazed bikers who shred the landscape with reckless abandon and consider the resulting erosion incidental. Most riders wouldn't think of littering, but many don't hesitate to leave 3-inch ruts in their wake deep enough to plant potatoes. Littering might be preferred; that's easy to clean up. Serious soil erosion is not.

Why is erosion a problem? Every place in the world is in a watershed, which flows to another watershed. The sediment released by erosion is transported by stormwater runoff, and gets deposited somewhere else. Banks disappear, gullies form, animal habitat is destroyed, and plant life dies. Erosion is a normal function of nature, but its acceleration by human sport is contrary to nature. Uncontrolled erosion destroys the very character of the land and lowers its value for recreational use by everyone.

There's an excellent trail near my home in Maine which has become very popular. Rider traffic counts on weekends can rival those of cars on the Maine Turnpike. I've observed the trail widen alarmingly and large amounts of soil have washed away. At its current rate of decline this trail will be soon unridable .

Is this sprawl pattern the accepted norm? Today's awesome ride will be tomorrow's barren patch of land, so a new trail will be needed, and subsequently destroyed so another route must be found? One anti-mountain bike website refers to riders as 'wheeled locusts' and the title can be apt. Irresponsible riding and abuse of trails can only lead to future restrictions on available trails. Engineering experience demonstrates that erosion is controllable and mountain biking doesn't have to accelerate its onset. Riders can lower their impacts by doing the following:

1. Avoid riding when the ground is soaking wet and consequently most susceptible to displacement. If wet soil acts and feels like beach sand, find a good book on biking trails and wait for drier conditions.

2. Ride gently through muddy sections, and don't seek bypass routes. The result of leaving the trail is to expand it to a four-lane autobahn of devastation. It's like running all four of your fingers in the icing of a birthday cake.

3. Never destroy vegetation. Root systems are critical to holding soil in place. Once soil begins to erode, vegetation can rarely start again due to wind action or an endless onslaught from fatty tires. Ask someone whose hair is receding if it ever gets any better.

4. Leave embedded rocks and logs as you find them. Remove buried items and you've given runoff a place to take hold. Dogs mark their turf; riders shouldn't.

5. Slow down, cowboy. High speed riding crushes vegetation and displaces soil. Make controlled descents, and go easy on the brakes. Remember: Friction sucks.

NORBA does not mean Not Our Responsibility Butchering Aggregates. The defense of erosion-causing riding in the belief that "it's fun" will hurt this sport in the long term. If existing trails aren't preserved, the alternative to responsible riding today is limited routes tomorrow and this sport's freedom is too valuable to sacrifice. See it as it is, leave it as it was.

CCA Pressure-Treated Wood To Be Phased Out For Residential Use

By Jeff Davis, BCE
Pest Management Professional
Biological Scienced Branch

Two *Environmental News* issues ago, we ran an article on the potential risk to children of Chromated Copper Arsenate (CCA)-treated lumber used in playground equipment. In a nutshell, we discussed that there is a growing body of evidence that arsenic (a known carcinogen) could leach out of wood and be picked up by children. At that time, the EPA was reviewing studies on the risk to children from CCA-treated playground equipment. Just as a refresher, CCA-treated lumber is the green-hued wood that can be purchased at most home improvement stores and what your deck is probably made of.

On 12 Feb 2002, the EPA announced a voluntary decision by the wood preserving industry to stop using arsenic in the production of "home use" preservative-treated lumber. The industry-scheduled changeover date of December 31, 2003 will affect all lumber used around the home including play structures, decks, picnic tables, landscaping timbers, residential fencing, patios, and walkways/boardwalks. After that date, EPA will not allow CCA products for any of these residential uses. Pressure treatment for lumber after that date will be done primarily with Alkaline Copper Quat (ACQ). ACQ contains no chromium or arsenic. Information is available at: http://www.fpl.fs.fed.us/documnts/techline/III-1.pdf. A few industry experts estimate that ACQ pressure-treated lumber will cost 25% more than CCA-treated lumber.

CCA will still be used to treat some industrial products such as utility poles, guard rails, and the like.

The EPA Office of Pesticide Programs has issued a fact sheet to answer questions Navy and Marine Corps installations might have about CCA-treated lumber that they have in place.

The website is http://www.epa.gov/pesticides/citizens/cca_transition.htm. In this fact sheet the EPA recommends applying a coating product (such as an oil-based, semi-transparent stain) to pressure-treated wood every 1-2 years to encapsulate the arsenic.

Like any agreement of this type, there are pluses and minuses. The plus is that CCA-treated lumber will stop being produced for home/residential/schools/playground uses and be replaced with a safer alternative before EPA can complete the extensive testing to evaluate the risk factors. The minus is that the full risk of the arsenic-treated wood in place might never be fully explored. Also, some critics feel the potential risks to children have been overstated. Arsenic leaching from CCA-treated lumber could become a similar issue to the asbestos or lead paint contamination issues that we deal with today. Only time will tell.

In the meantime, it probably makes good sense to encapsulate any green-hued playground lumber annually with a high-grade penetrating stain/sealant. It doesn't cost that much and provides the added benefit of peace of mind.

Restoration Achievements Earn NAVAIR Lakehurst CNO and SECNAV Environmental Awards

By Dorothy Peterson
NAES Environmental Department

On Tuesday, April 30, 2002, the NAVAIR Lakehurst Environmental Department was awarded the Secretary of the Navy and Chief of Naval Operations Environmental Restoration awards. The awards presentation took place at the U.S. Navy Memorial in Washington, D.C. Captain Dwight Cousins, Commanding Officer of NAES Lakehurst, NJ and Environmental Engineer, Mike Figura, accepted the awards on behalf of NAVAIR Lakehurst. The Secretary of the Navy award was presented by the Honorable Hansford T. Johnson, Assistant Secretary of the Navy (Installations and Environment). The Chief of Naval Operations award was presented by Rear Admiral (Sel) Robert Dunham Reilly, Jr. USN (Director, CNO Environmental Protection, Safety and Occupational Health Division (N45).

The mission of NAES Lakehurst, NJ is technology development and engineering. Past operations required the handling, storage and on-site disposal of hazardous substances. Contractual actions and funding for the investigations and remedial actions are managed through Engineering Field Activity Northeast (EFA NE).

Mike Figura (left) and Captain Cousins (right) accept CNO environmental restoration award on behalf of NAVAIR Lakehurst from Rear Admiral (Sel) Robert Dunham Reilly, Jr. USN (center).

Photo by JOC David W. Crenshaw, USNR

The purpose of the Environmental Restoration award is to recognize efforts to protect human health and the environment by cleaning up identified sites in a timely, cost-efficient and responsive manner. The following was read as the awards were presented:

With signed Records of Decision for all of its 45 NPL sites and only 11 sites requiring continued cleanup, Naval Air Engineering Station (NAES) Lakehurst strives to reduce the cleanup timeframe and cost through use of innovative technologies and additional treatment of source areas. Over the last two years, the station used oxygen release compounds at four sites to enhance bioremediation, was the field test site for non-thermal plasma treatment of volatile organic compounds (VOCs) and conducted a bench-scale test to determine the effectiveness of bi-metallic nano-scale particle treatment on groundwater.

The station maintains an open dialogue and fosters trust in the community through discussion of any environmental topic at its Restoration Advisory Board meetings. NAES Lakehurst continues its outstanding relationship with New Jersey and Environmental Protection Agency (EPA) regulators through recent acceptances into the New Jersey Department of Environmental Protection (DEP) Silver Track Program and EPA Environmental Performance Track.

Seeking Legal Counsel

By Lonnie Monaco
Environmental Project Manager

Most of us in the Navy environmental clean up business have few dealings with our legal staffs in the day-to-day performance of our duties. Counsel plays a key role in establishing how we operate, but the policy that they help to shape or defend is decided on at the upper echelon of our command, and filters down in the form of guidance or direction. That being said, one such occasion when we are required to interact with the attorneys in our daily work is when our environmental challenges extend beyond installation borders. Once this happens, we face the possibility that we will have to deal with a local landowner or municipality in order to address the real or perceived threat of exposure to contamination. How do we proceed? The environmental project management and technical experts need to consult with Navy counsel on the best course of action.

For us here at EFA NE, there are actually several different components collectively referred to as Navy counsel. There is the Navy Office of General Counsel with attorneys assigned to EFA NE. These attorneys are in-house counsel who work directly with the environmental project management and technical experts. Also involved are the Navy Office of General Counsel Litigation Office OGC- LITOFF and the Department of Justice (DOJ). The LITOFF serves as the coordinator and liaison with the DOJ, who is the principal litigator for all federal agencies. In this role, DOJ has primary negotiation and settlement responsibility and, if necessary, represents the Navy in court.

It's our responsibility to keep the local community informed and to respond to their concerns as we proceed through the CERCLA process at a federal facility. However, we are still responsible for any damage that has occurred or might still occur as a result of our contamination. A potentially injured party may seek restitution based on past and/or future costs until it can be demonstrated that the contamination or threat of contamination has passed. One way to do this is with a settlement agreement in which the counsel representing both parties craft language that spells out the terms and conditions by which each side would be bound.

The legal and technical folks must work closely together in order to reach a fair and equitable settlement. Since each of the disciplines has mutually exclusive jargon, it's critical that each "translates" for the other

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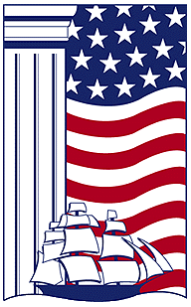
First Ever Cultural Resource Contracts – Small Business Awards

By Tina A. Deininger
Historic Preservation Officer



For the first time ever, EFA NE has two new indefinite quantity (IDQ) architect/engineer contracts directly providing cultural resource services. These contracts, with identical capabilities and capacities, will provide direct cultural resource services, while maintaining a high level of consultant quality. One contract is primarily for the New England area while the other is primarily for the Delaware Valley area.

The services available through these contracts include: a) preparation of documentation required as a result of consultation pursuant to Section 106 of the National Historic Preservation Act; b) historic property recordation at the State and HABS/HAER level; c) National Register of Historic Places (NRHP) eligibility analysis and preparation of NRHP nomination documentation; d) archaeological survey, testing, analysis, construction monitoring (including areas with hazardous material/waste); e) assistance with Native American (eastern United States) consultation; and f) preparation of Integrated Cultural Resource Management Plans for military activities or federally-owned historic districts. One cultural resource contract was awarded to a small business, A D Marble, carrying the maximum fee of $1M.

In addition, EFA NE has more good news for small business environmental contractors. Our first ever firm fixed price operation and maintenance (O&M) contract for work in New England will be awarded in September. The contract is an IDQ for 5yrs at $20 million. A second similar contract will be awarded next year for the Mid-Atlantic states. These contracts further expand our commitment to smaller environmental firms.

Tina Deininger and Debra Felton wrote the scopes of work for the contracts. Also participating in the selection process were Rod Warner, Nancy Kuntzleman, Mike Fohner, Steve Beebe, George Shirley, Michelle Donnelly, Joe Liberto and Ginny McAllister.

Can You Hear Me Now?

Asbestos and Lead Program Seeks to Open Lines of Communication Across Navy Region Northeast

By Thom Snyder
EFA NE Asbestos and Lead Program Manager

Even in the face of environmental budget cuts, the Asbestos and Lead Programs Regional Workshop was held at Groton, CT on May 21-22, 2002. This workshop was initially coordinated with the Northeast Region Facilities, Housing, and Environmental managers. Originally, the idea was to have all the Activity Asbestos Program Managers (APMs) and those safety/health or environmental folks involved with lead paint attend the meeting. There would be one day for asbestos and one day for lead. And then… things changed.

While coordinating and planning with the Region, we agreed that the workshop should be opened up to Region stakeholders and activity Public Works, Housing, Environmental, NAVOSH and BuMed Industrial Hygiene groups. This would provide an opportunity for all players in these programs to be on the field and in the game. NavFac HQ tells us there should be "One Facilities Engineering Voice". The "one voice" concept means to:

- increase satisfaction
- establish and improve alliances at all working levels within the Navy
- communicate effectively and openly understanding current and future needs
- implement a consistent strategy for project work
- minimize client efforts to access our services via web-based technology.

The objectives of this meeting were to break through the communication barriers at the Activity (PW, Housing, Environmental, NAVOSH, BuMed Industrial Hygiene), EFA NE, and Region (Facilities, Environmental, Housing, NAVOSH) levels. With all the players in one room, we could identify the parts of the processes that work or don't work, and develop the technologies to improve our business processes.

OK, so did it work? Yes. The workshop made a difference in the way the participants saw their roles and responsibilities. Each day began with a regional perspective. CDR Jim Gentry and Andy Stackpole, Regional Facilities, discussed facilities environmental issues on Tuesday and Ed Jankowski, Regional Housing, discussed housing issues on Wednesday. Following the Regional perspectives, an open forum was held to identify issues and concerns in the programs. A questionnaire had been developed and distributed in advance to the APMs to evaluate program status at the activities and identify issues. This evaluation tool was used to identify trends, process, and compliance issues. It was also used to provide a forum for discussion for activity asbestos programs. A similar discussion was held about lead on the following day. Once problem areas were identified and characterized, it opened up a way for everyone to see the programs from their perspective, as well as from other viewpoints. The follow-on presentations were geared to provide new tools and explain the ways they could be used. A new way of communicating, acknowledging that everyone has a role and responsibility, was established.

New tools were provided, such as the newly revised EFANE PWO Guide: Asbestos and Lead Management in Facilities, which provides a facilities-oriented regulatory approach to managing asbestos

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Personals

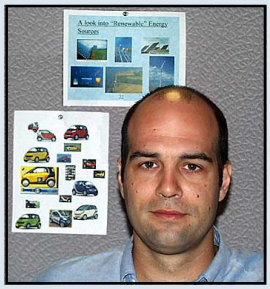
Welcome Aboard, Katrina

When the Environmental Planning Branch hired **Katrina Grosso** (left) this summer to help Bob Ostermueller with our NEPA work, they didn't have the luxury of a face-to-face interview. Katrina, who has a BS in Biology from Millersville University and is finishing up an M.S. in Public Health at the University of South Carolina, was hired after an extensive phone interview. Yet they knew what they would be getting as a Professional Development Center (PDC) employee since Katrina's identical twin sister, Cheryl, (12 minutes younger) has been working for EFA NE for 3 years.

Cheryl, a Real Estate Specialist who did a PDC training tour in the Environmental Department, earned a BS at Newmann College and an MBA at Rosemont College. In case you are wondering what Harvey Shultz, NAVFAC HQ Applied Biology Program Manager is doing in the picture, Harvey explains that his additional duty as Executive Editor of the Environmental News is not completely devoid of perks.

Congratulations to Environmental Engineer **Terry Gallagher** on her successful completion of the Executive Leadership Program conducted by the Leadership Development Academy Graduate School, USDA. Over 300 federal employees nation-wide were part of the graduation ceremony in Baltimore on 30 Aug. The program is highly recommended for individuals interested in leadership development.

Welcome aboard to **Amanda Kittelson**, the newest member of our environmental team. Amanda is a graduate of Penn State University with a B.S. in Environmental Systems Engineering. The first stop along her PDC tour is in Deb Felton's Installation Restoration (IR) Technical Branch. Amanda's duties include reviewing RODs, writing scopes of work and developing cost estimates for IR sites at Willow Grove Joint Reserve Base and Naval Air Station South Weymouth, MA.



JP (Jean Pierre) Beaudouin joined the EFANE rolls in August. As a PDC, he has been with us since March 2001 and was previously located at EFACHES. JP attended the ESTP University, Paris, France and graduated in 1990 with a Civil Engineering degree. JP also attended Catholic University of America in Wash DC and obtained a Master's Degree in Environmental Engineering in Dec. 2000. JP is in the Water Programs Branch and is providing support in the wastewater and storm water areas.

Welcome aboard **Mark Kelly** who comes to us from theNavy Public Works Center Detachment (PWC), Phila. Mark, who earned a B.S. in civil engineering from Widner University works under the tutelage of Joe Roche in the Air/Asbestos/Radon Branch. Mark's duties include: supporting management of air program; assisting activities in developing their compliance internal assessment plans and is a trained lead auditor for ISO 14001.

Congratulations to risk assessor **Dave Barclift** and his wife Christy on the birth of their son *David Gilmore Barclift* on September 12. Baby Dave weighed in at 8lb 9oz at a height of 20 3/4 inches.

Can You Hear Me Now?

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and lead. It also contains flow charts, matrix charts, as well as four appendices of additional tools. One of the appendices includes Architectural/Engineering (A/E) guides and a scope of work for contracting asbestos and lead surveys prior to renovation or demolition. Another tool discussed was the Lead Hazard Management Matrix, also found in the PWO Guide. This matrix is a "Cliff Notes" version of lead regulations and requirements and provides a process-driven guide to compliance, along with key provisions and actions. The final tools were asbestos and lead roles / responsibilities, listed by department, that also include process-driven summaries. The asbestos and lead program roles / responsibilities and summaries were built using the general concepts of the Environmental Management System Internal Assessment Plan. Other tools included the various contracts for asbestos and lead studies and removals. New Architectural and Engineering contracts are in place, along with small business environmental construction contracts (called EMAC). Public Works Center Detachment Philadelphia offered to provide their services regionally via funding transfer documents. Many participants responded to these various opportunities to have services provided.

There were participants from most activities in the region. Invited speakers included Andy Stackpole, Regional Environmental Coordinator; CDR Jim Gentry, Regional Facilities, Ed Jankowski, Regional Housing, and John Bishop, Navy Environmental Health Center (NEHC), Portsmouth, VA. Guests, who also provided brief overviews, were Kent Avery, NavFacHQ Environmental (Asbestos and Lead Programs); Mike Miller, Deputy Industrial Hygiene Director NEHC (CNO Asbestos Task Force); and Mel Tardie, Regional NAVOSH Manager, Brunswick, ME. Presentations and discussions resulted in the following recommended actions: including asbestos and lead-based paint costs early in the project planning phase; updating asbestos inventories as needed, pursuing the integration of asbestos reinspections in the facilities annual inspection summary process and maintaining asbestos and lead-based paint records to reflect completed facilities projects.

Was satisfaction increased? One participant's critique said, "It was a good feeling to be among the different groups and to hear we are in the same boat and we all want the same improvements. I really like how I got the feeling that everyone cares."

Did we establish alliances at all working levels? Yes, by involving the Region, EFA NE, NavFac HQ, NEHC, and members of the Navy Lead Steering Committee (NavFac HQ, EFA NE, and NEHC), Federal Interagency Task Force (NEHC & EFANE), and CNO Asbestos Task Force (NEHC).

Were current and future needs communicated effectively and openly? The participants' overall opinion was that the presentations and tools would help address asbestos and lead program needs.

Can we implement a consistent strategy for project work? By bringing all the players together and using the same tools, such as the PWO Guide, roles and responsibilities, yes, it can be done.

Can client efforts be minimized to access our services via web-based technology? Yes, there are various contract vehicles in place, and some of the tools were provided electronically at the meeting. The A/E Guide and Scope of Work appendix from the PWO Guide was provided to contract local asbestos and lead surveys prior to renovation. The roles and responsibilities information was provided for activities to modify for their particular programs. Action items and follow-up will also include other tools and info accessible on the web.

Can You Hear Me Now? Well, from a "One Facilities Engineering Voice" perspective: "Loud and Clear".

KUDOS to Environmental Intern Naomi Dash and EFA NE computer support professional, Bob Zona, for setting up a weekly video teleconference (VTC) with Villanova University so that ten of EFA NE's newer engineers can receive refresher training prior to taking the Engineer in Training (EIT) exam in October.

Knock-Knock!

(Continued from page 3)

certification, licensing, recordkeeping, or reporting, or any provisions for injunctive relief and such sanctions, as may be imposed by a court to enforce such relief) respecting LBP, LBP activities, and LBP hazards in the same manner, and to the same extent as any nongovernmental entity is subject to such requirements, including the payment of reasonable service charges. The Federal, State, interstate, and local substantive and procedural requirements referred to in this subsection include, but are not limited to, all administrative orders and all civil and administrative penalties and fines regardless of whether such penalties or fines are punitive or coercive in nature, or whether imposed for isolated, intermittent or continuing violations. The United States hereby expressly waives any immunity otherwise applicable to the United States with respect to any such substantive or procedural requirement (including, but not limited to, any injunctive relief, administrative order, or civil or administrative penalty or fine referred to in the preceding sentence, or reasonable service charge). The reasonable service charges referenced in this section include, but are not limited to, fees or charges assessed for certification and licensing, as well as any other nondiscriminatory charges that are assessed in connection with a Federal, State, interstate, or local LBP, LBP activities, or LBP hazard activities program. No agent, employee, or officer of the United States shall be personally liable for any civil penalty under any Federal, State, interstate, or local law relating to LBP, LBP activities, or LBP hazards with respect to any act or omission within the scope of his official duties."

EPA held the seminar to educate Federal facilities and inform us of our responsibilities. Please share this information with your housing and contracts departments to ensure that we're in compliance. More information is available at: http://www.epa.gov/lead/leadrenf.htm

We recommend that housing departments receive a copy of the form that the contractor or PW department has the occupant sign when they receive the pamphlet. Housing should retain copies for at least three years. That way, if EPA comes a knock-knock- knockin' on the door, we can demonstrate our commitment to providing safe and healthy housing for our military folks and their families.

Seeking Legal Counsel

(Continued from page 12)

in order for the document to say what we want it to say. For example, you may address MCLs, ppb, TCE, etc. as long as the terms are explained and the remediation goal is clearly defined to counsel. Once counsel prepares the text, it's important that the technical managers read, understand, and agree with how the data is presented. The flow of the text should be from the historical, to the present, then to the future, concluding with an exit strategy that clearly defines when the Navy would no longer be responsible for costs. Counsel will include details that at first may seem cumbersome to those concerned only with the technical aspects, but in reality will preserve the integrity of our position.

The initial drafting of the document and its numerous rewrites and wordsmithing may take months before agreeing on language satisfactory to both parties. But what happens if a sticking point emerges at the end? What if the Navy counters the technology being proposed by the other side with a remedy that it believes will achieve the same goal at lesser cost? Should the Navy still raise the issue and jeopardize what we've gained during the negotiations, or concede the point and agree to fund the cost of the more expensive remedy? Would the Navy be suspected of not negotiating in good faith, and might the other side initiate a lawsuit? How much of the negotiations can be salvaged? After all, won't they ask for something in return for considering our proposal? Should we offer a compromise position? And if rejected, how hard should we continue to push? Counsel, with technical input, must weigh all of these options to decide on the appropriate course of action.

In the end, we may ask ourselves, "Did we make all of the right moves"? Were we really risking everything, including a possible lawsuit, by not continuing to push for our preferred alternative? And even if the matter didn't end up in a lawsuit, would the additional costs in time and lost concessions equal any construction cost savings for the Navy? These are questions that are not easy to assess because we're dealing with a very unpredictable subject - human beings. Even though our technical problems aren't always perfectly defined or totally objective, they're much more predictable than our counterpart's motives and the degree to which they are willing to push them.